

REMARKS

In the Final Office Action¹, the Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2004/0237104 (“*Cooper*”) in view of U.S. Patent Application Pub. No. 2001/0021998 (“*Margulis*”). In the Advisory Action, the Examiner maintained this rejection.

Applicant maintains that the cited references do not teach or suggest a “base device selection button” and “a plurality of additional buttons for switching image modes.” To advance prosecution, however, Applicant has amended independent claims 1, 13, and 18 to recite features of now-cancelled dependent claims 10 and 12. Upon entry of this Amendment, claims 1-9, 11, 13-20 remain pending and under examination.

Applicant requests reconsideration and withdrawal of the rejection of claims 1-20 under 35 U.S.C. § 103(a). The Final Office Action has not properly resolved the *Graham* factual inquiries, as required to establish a framework for an objective obviousness analysis. See M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398 (2007).

In particular, the Final Office Action has not properly determined the scope and content of the prior art, at least because the Final Office Action incorrectly interpreted

¹ The Advisory Action and Final Office Action contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Advisory Action or Final Office Action.

the content of *Cooper*. Specifically, *Cooper* does not teach or suggest what the Final Office Action attributes to it. In addition, the Final Office Action has not properly ascertained the differences between the claimed invention and the prior art, at least because the Final Office Action has not interpreted the prior art and considered both the invention and the prior art as a whole. See M.P.E.P. § 2141(II)(B).

Regarding the features of now-cancelled dependent claim 10, now included in the independent claims, the Examiner alleges that *Cooper* discloses “wherein said display information for operation is transparently displayed on said display image surface” by means of a “Handheld format encoder (18) in figure 1” of *Cooper*. Final Office Action, p. 7. This is incorrect. In fact, *Cooper* does not disclose transparency, or transparent display, at all. The “handheld format encoder” of *Cooper* only generates encoded data associated with a mobile device for purposes of compressing program data. See *Cooper*, ¶¶ [0018]-[0019]. Accordingly, *Cooper* does not disclose or suggest at least Applicant’s claimed “displaying transparent display information for operation,” as recited in independent claim 1 (and similarly in claims 13 and 18).

Moreover, *Margulis* does not cure at least this deficiency in *Cooper*. *Margulis* also fails to disclose transparency, or transparent display, at all. Instead, *Margulis* only discloses the display of information in “color or monochrome.” *Margulis*, ¶ [0043]. Accordingly, *Margulis* also does not disclose or suggest at least Applicant’s claimed “displaying transparent display information for operation,” as recited in independent claim 1 (and similarly in claims 13 and 18).

Regarding the features of now-cancelled dependent claim 12, now included in the independent claims, the Examiner alleges that *Cooper* discloses that a “second display device has an interlock/non-interlock function” by means of a “Frame Buffer (16) in figure 1” and “PVR CPU (21) in figure 1” of *Cooper*. Final Office Action, p. 7. This is incorrect, because the frame buffer of *Cooper* simply receives data and does not disclose an interlock/non-interlock feature. Further, *Cooper* does not describe any interlock/non-interlock feature in frame buffer 16, PVR 26, or CPU 21. Accordingly, *Cooper* does not disclose or suggest at least Applicant’s claimed “interlocking/non-interlocking function for selecting whether the picture signals supplied to the first display device should be switched in association with display contents of the display information for operation,” as recited in independent claim 1 (and similarly in claims 13 and 18).

Moreover, *Margulis* also does not cure at least this deficiency in *Cooper*. Instead, *Margulis* only discloses generating display data to the remote device for remote viewing. See *Margulis*, ¶ [0041]. As such, *Margulis* does not disclose or suggest at least Applicant’s claimed “interlocking/non-interlocking function for selecting whether the picture signals supplied to the first display device should be switched in association with display contents of the display information for operation,” as recited in independent claim 1 (and similarly in claims 13 and 18).

Accordingly, the Final Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and independent claims 1, 13, and 18. Moreover, no reason has been clearly articulated as to why independent claims 1, 13, and 18 would have been obvious to one

of ordinary skill in the art in view of the prior art. Amended claims 1, 13, and 18 are therefore not obvious over *Cooper* in view of *Margulis* and should be allowable. Further, claims 2-9, 11, 14-17, and 19-20 should also allowable at least due to their respective dependence from base claim 1, 13, or 18, and because they recite additional features not taught or suggested by the cited references. Applicant therefore respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 19, 2010

By: /David W. Hill/
David W. Hill
Reg. No. 28,220